

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STARS INVESTMENT GROUP, LLC,
and STARS DESIGN GROUP, INC.

Plaintiffs,

vs.

AT&T CORP., MASTEC NORTH
AMERICA, INC. and FOUR WINDS
CONSTRUCTION, LLC,

Defendants.

Case No. 4:15-cv-01370-AGF

**JOINT STIPULATION OF
UNCONTESTED FACTS AND SUMMARY OF THE CASE**

COME NOW Plaintiffs and Defendants, by and through their undersigned counsel, in accordance with this Court's November 10, 2015 Case Management Order (Doc. No. 17), and submit the following Joint Stipulation of Uncontested Facts and Summary of the Case.

Brief Summary of the Case

This is a civil case brought by plaintiffs, Stars Investment Group, LLC and Stars Design Group, LLC, against the defendants AT&T Corp., MasTec North America, Inc., and Four Winds Construction, LLC. In October 2013, Plaintiff Stars Design Group, LLC executed a contract with AT&T Corp. for high-speed data service to their offices located at 2222 Menard Street in Soulard in the City of St. Louis, Missouri, which included the installation of fiber optic cable. On February 5, 2014, the excavation crew drilling the hole for the new fiber optic cable split open a gas line that caused an explosion and fire that destroyed and/or damaged properties owned and rented by SIG and destroyed SDG's offices at 2222 Menard. Plaintiffs allege that AT&T Corp. breached its contractual obligations to Plaintiffs and, along with MasTec North

America, Inc. and Four Winds Construction, LLC, acted negligently and recklessly. Defendants deny that they acted negligently or recklessly in any way.

Joint Stipulation of Uncontested Facts

(1) In October 2013, Plaintiff Stars Design Group contracted with Defendant AT&T Corp. to install underground fiber optic lines into the building at 2222 Menard Street in Souland in the City of St. Louis, Missouri.

(2) Plaintiff Stars Design Group business headquarters are located at 2222 Menard Street and Plaintiff Stars Investment Group, Inc. owns the 2222 Menard Street property.

(3) Defendant AT&T Corp. contracted with MasTec North America, Inc. to perform the underground drilling in order to install the underground fiber optic lines into the building pursuant to Defendant AT&T Corp.'s contract with Plaintiff Stars Design Group.

(4) Defendant MasTec North America, Inc. contracted with Defendant Four Winds Construction, LLC to perform the underground drilling in order to install the underground fiber optic lines into the building pursuant to Defendant AT&T Corp.'s contract with Plaintiff Stars Design Group.

(5) On January 30, 2014, Defendant MasTec North America, Inc. contacted the Missouri One Call System to locate any underground utilities or facilities in the area of the fiber optic line installation at the 2222 Menard Street property.

(6) On February 3, 2014, United States Infra Structure Corporation marked all underground utilities facilities in the area of the fiber optic line installation at the 2222 Menard Street property.

(7) Between February 3, 2014, and February 5, 2014, snow covered the job site and completely obscured the markings identifying the locations of utilities adjacent to 2222 Menard Street.

(8) During the course of the boring and excavation operation on February 5, 2014, the drill struck the gas line running from the Laclede Gas main line to Plaintiffs' building at 2222 Menard Street, causing an explosion and a fire.

Respectfully submitted,

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